IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MISSOURI

MONTANARO, CARL ANTHONY	)	Case No. 08-60665
MONTANARO, ANNETTE	)	Chapter 7
Debtors.	)	
	)	
J. KEVIN CHECKETT, Trustee	)	
Movant	)	
V.	)	
	)	
MONTANARO, CARL ANTHONY	)	
MONTANARO, ANNETTE	)	
Respondents	)	

MOTION TO COMPEL TURNOVER OF PROPERTY

Motion of J. Kevin Checkett, trustee, respectfully represents:

1) Movant is the duly qualified and acting trustee.

2) Respondents are the debtors in this proceeding.

3) This court has jurisdiction over this proceeding pursuant to 28 U.S.C §1334.

4) The trustee is informed and believes among certain property of this estate, and in the possession of the debtors, is the following asset:

Franklin Templeton Roth IRA (not scheduled) $1,186.82

Contribution to Roth IRA (not scheduled) of March 4, 2008 $5,500

Contribution to Roth IRA (not scheduled) of March 5, 2008 $3,500

5) All of said property of the estate is in the possession and under the control of the respondents.

6) Section 521(4) provides that all debtors will turnover and surrender to the trustee all property of the estate, whether exempt or non-exempt, subject to liens or free and clear.

Wherefore, the trustee prays that the debtors be ordered to surrender and deliver possession of the property above described and to assess costs and attorney fees against the debtors, and for the court to deny debtors any exemption in such property, and for such other and further relief as the court deems just and proper.

CHECKETT & PAULY, P.C.

/s/ Kevin Checkett

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served electronically to those parties who have entered an appearance in the court's Electronic Court Filing (ECF) System and conventionally, via first-class mail, postage prepaid, to those parties below, if any, who have requested notice but are not participating in the ECF System, on the date entered on the court's docket, **Carl and Annette Montanaro**, 725 Birchwood Road, Marshfield, Mo 65706.

/s/Kevin Checkett
Attorney of Record